

**PLANNING AND ZONING COMMISSION
STAFF REPORT**

December 4, 2014



Planning Exception case no. PE14-02: Hidden Place Subdivision

CASE DESCRIPTION: a request for approval of an exception from the minimum 150-foot lot width standard of the Subdivision Ordinance (Bryan Code of Ordinances Chapter 110) required for lots of one acre or more and located in the City of Bryan's extraterritorial jurisdiction (ETJ), to allow two proposed new lots with lots widths of less than 150 feet

LOCATION: proposed Lots 1 and 2 in the proposed Hidden Place Subdivision, on 5.037 acres of land located at the terminus Hicks Lane and adjoining the east side of the intersection of Hicks Lane and Barrow Court in Brazos County, Texas (Bryan's ETJ)

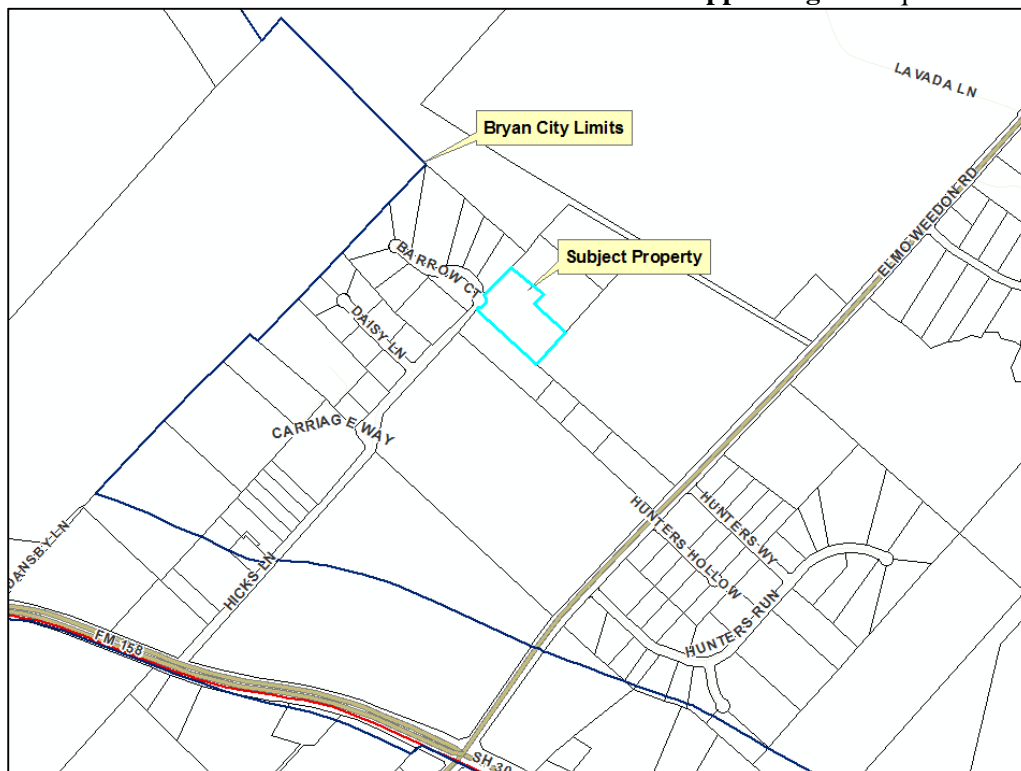
EXISTING LAND USE: vacant acreage

APPLICANT(S): Barry and Janine Brannon

AGENT: Kerr Surveying

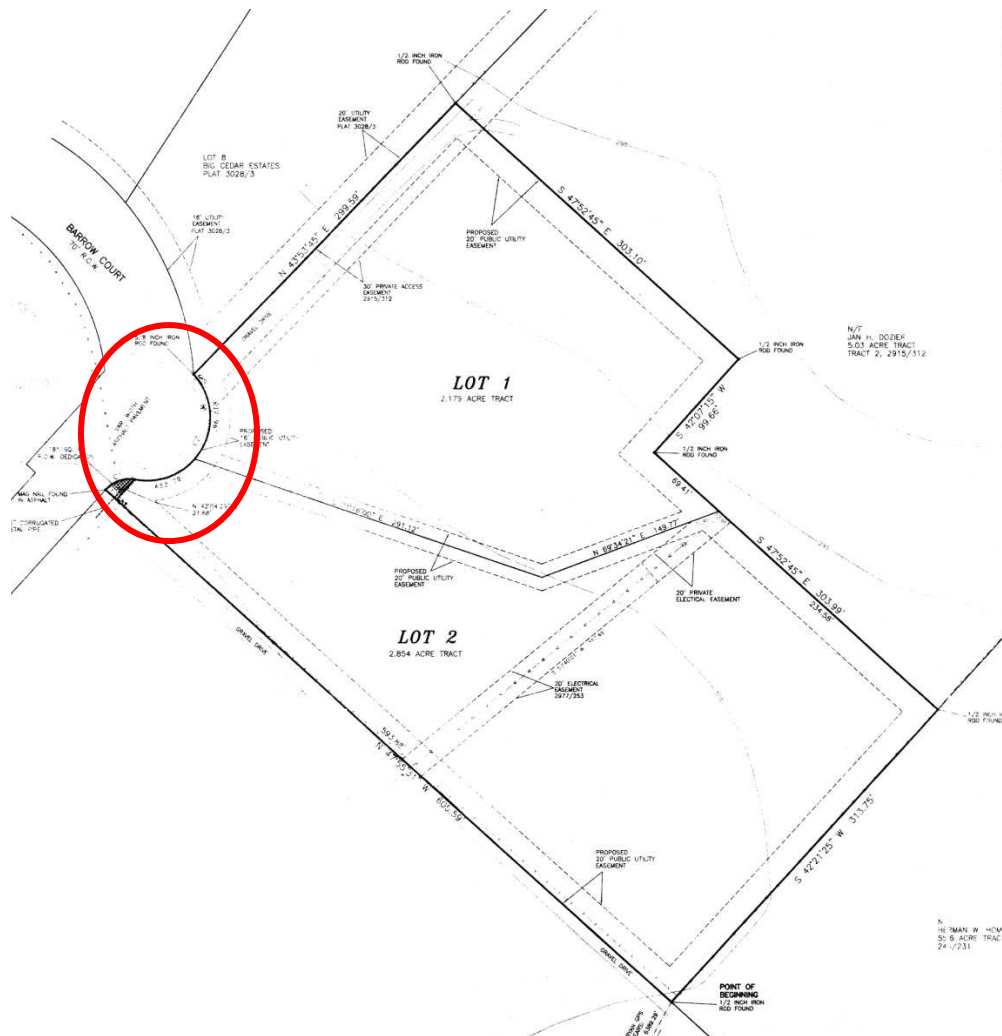
STAFF CONTACT: Maggie Dalton, Staff Planner

SUMMARY RECOMMENDATION: Staff recommends **approving** the requested exception.



The applicant/property owners, Mr. and Mrs. Brannon, are requesting an exception to Article IV, Section 110-79(4)b. of the Subdivision Ordinance (Bryan Code of Ordinances Chapter 110), which requires a minimum lot width of 150 feet for lots of one acre or more in the City's extraterritorial jurisdiction (ETJ). The request was made in order to allow for the subdivision of approximately 5.037 acres of land located at the intersection Hicks Lane and Barrow Court into a new rural residential subdivision, Hidden Place Subdivision. The new subdivision will consist of two lots each over two acres in size.

Excerpt from the proposed Final Plat of Hidden Place Subdivision



ANALYSIS:

The Planning and Zoning Commission may authorize exceptions from standards of the Subdivision Ordinance. The Planning and Zoning Commission may authorize such exceptions when, in its opinion, compliance would not be in the public interest. In granting an exception, the Planning and Zoning Commission shall prescribe only conditions that it deems necessary or desirable in the public interest.

In making its findings, the Planning and Zoning Commission shall take into account the nature of the proposed use of the land involved, existing uses of land in the vicinity, the number of persons who will reside or work in the proposed subdivision, and the probable effect of such exception upon traffic conditions and upon the public health, safety, convenience, and welfare in the vicinity.

No exception shall be granted unless the Planning and Zoning Commission finds:

1. That there are special circumstances or conditions affecting the land involved such that the strict application of the provisions of the standards would deprive the applicant of the reasonable use of the land.

While the two lots in question are proposed to be 77.04 feet and 71.44 feet narrower than what is minimally required by the City of Bryan subdivision regulations, staff believes that, in this circumstance, their substandard lot widths are offset by the extraordinary lot depths of 299 feet to 600+ feet, and sizes of 2.18 acres and 2.85, respectively. Staff contends that both lots have proposed lot depths that will provide ample room for development with new single-family homes and on-site sewage systems.

2. That the exception is necessary for the preservation and enjoyment of the property.

Staff believes that the overall effect of reduced lot widths in this subdivision will be negligible, if at all noticeable, given the properties' extraordinary lot depth and size in excess of two acres. Granting the request will still allow for the development of a rural, low-density residential subdivision at this location.

3. That the granting of the exception will not be detrimental to the public health, safety, or welfare, or injurious to other property in the area.

Staff believes that granting the exception will not be detrimental to the public health, safety, or welfare, or injurious to other property in the area.

4. That the granting of the exception will not have the effect of preventing the orderly subdivision of adjoining land in the vicinity in accordance with the provisions of this Ordinance.

Staff believes granting of the exception will not have the effect of preventing the orderly subdivision of adjoining land in the vicinity in accordance with the provisions of the Subdivision Ordinance.

RECOMMENDATION:

Staff recommends **approving** the requested exception to allow a lot width of 72.96 for Lot 1 and a lot width of 78.56 for lot 2 of the proposed Hidden Place Subdivision.